IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 4TH OCTOBER 2006 / 12TH ASWINA 1928

OP.No. 10680 of 2003(U)

PETITIONER:

M.MUHAMMED MUSTHAFA,
VANDIPURAVILAKATU PUTEN VEEDU, ARALUMOODU,
ATHIYANNOOR, BALARAMAPURAM P.O.,
THIRUVANANTHAPURAM.

BY ADV. SRI.PIRAPPANCODE V.SREEDHARAN NAIR
SRI.S.P.ARAVINDAKSHAN PILLAY
SRI.PIRAPPANCODE V.S.SUDHIR
SRI.V.VARGHESE
SMT.RESMI G. NAIR

RESPONDENTS:
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1. **DEPUTY COLLECTOR (R.R), KERALA STATE FINANCIAL ENTERPRISES LTD, THRISSUR.**

2. **SPECIAL TAHSILDAR I (R.R), KERALA STATE FINANCIAL ENTERPRISES LTD, THIRUVANANTHAPURAM.**

3. **REGIONAL MANAGER, KERALA STATE FINANCIAL ENTERPRISES LTD, THIRUVANANTHAPURAM.**

4. **BRANCH MANAGER, KERALA STATE FINANCIAL ENTERPRISES LTD, NEYYATTINKARA II, THIRUVANANTHAPURAM DISTRICT.**

BY ADV. SRI.RAJU JOSEPH, ADDL.SC.,KSFE LTD.

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 04/10/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON CMP. NO.18380/2003 IN OP. NO.10680/2003

DISMISSED

4.10.2006 **SD/- C.N.RAMACHANDRAN NAIR, JUDGE**

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE DEMAND NOTICE NO.SDT/TVM/2140/01-02 DT.8.6.2001 ISSUED BY THE 1ST RESPONDENT.

EXT.P1(a):- COPY OF THE ATTACHMENT NOTICE TOEXT.P1.

EXT.P2:- COPY OF THE DEMAND NOTICE NO.SDT/TVM/2139/01-02 DT. 8.6.01 ISSUED BY THE 1ST RESPONDENT.

EXT.P2(a):- COPY OF THE ATTACHMENT NOTICE TO EXT.P2.

E.XT.P3:- COPY OF THE DEMAND NOTICE NO.SDT/TVM/2138/01-02 DT.8.6.01 ISSUED BY THE 1ST RESPONDENT.

EXT.P3(a):- COPY OF THE ATTACHMENT NOTICE TO EXT.P3.

EXT.P4:- COPY OF THE DEMAND NOTICE NO.SDT/TVM/2137/01-02 DT.8.6.01 ISSUED BY THE 1ST RESPONDENT.

EXT.P4(a):- COPY OF THE ATTACHMENT NOTICE TO EXT.P4.

EXT.P5:- COPY OF THE REPRESENTATION DT.5.1.02 SUBMITTED BY THE PETITIONER BEFORE THE RESPONDENTS.

EXT.P6:- COPY OF THE NOTICE NO.SDT/TVM/2137/01-02 TO NO.SDT/TVM/2140/01-02 DT.25.2.03 OF THE 2ND RESPONDENT

/TRUE COPY/

tss

C.N.RAMACHANDRAN NAIR,J.

O.P.NO. 10680 OF 2003

Dated this the 4th day of October, 2006

JUDGMENT

Since standing counsel for KSFE submitted that petitioner can avail scheme benefits for settlement of liability, which is stated to be reduction of interest liability equal to principal amount, there will be direction to fourth respondent to give a statement of liability under the scheme to the petitioner and give reasonable time to the petitioner to settle the liability. However, if the petitioner does not settle the liability within the time granted by the fourth respondent, then the benefit granted will stand automatically vacated and respondents 1 and 2 will proceed for recovery on intimation from the fourth respondent. Petitioner is directed to approach the fourth respondent first and receive the statement as above. Revenue recovery proceedings will remain stayed for four month from now and thereafter revenue recovery will be continued, if liability is not settled.

O.P. is disposed of as above.

(C.N.RAMACHANDRAN NAIR)
Judge